

67,108-215
Meda 2REMARKS

Applicant respectfully requests continued examination of this application. Clerical amendments are made to claims 1, 2, 6, 7, 10, 12 and 13 above. New claims 15-20 are presented.

Applicant respectfully submits that there is no *prima facie* case of obviousness under §103 against claims 1-14 because the combination of *Balachandran* and *Blom* cannot be made. If there is no benefit to *Balachandran*'s arrangement provided by the addition from *Blom*, then the legally required motivation for making the combination is missing and there is no *prima facie* case.

Balachandran's "advertisement" is intended to tell a mobile subscriber when a discounted or reduced charge rate will be available based on a low level of system usage, for example. That technique is intended to generate additional revenue for a wireless system operator by increasing use of the wireless communication system when it otherwise would be only partially used. Advertisements of the kind described in *Blom* have nothing to do with *Balachandran*'s intention to increase wireless system usage by mobile subscribers during periods when usage is down. The *Blom* advertisements do not in any way have any relationship to what *Balachandran* is attempting to accomplish. In other words, the proposed addition of *Blom*'s teachings provides no benefit to *Balachandran*'s arrangement. Therefore, the combination cannot be made because there is no benefit to making it and the legally required motivation for making a combination under 35 U.S.C. §103 is absent.

The Examiner's comments in the recent Advisory Action do not remedy the defect in the proposed combination. There is no motivation for the combination that comes from the references. At best, Applicant's disclosure and claims provide the alleged motivation, which is not an appropriate basis for attempting to establish a *prima facie* case of obviousness.

67,108-215
Media 2

New claims 15 through 20 recite methods that are nowhere disclosed or contemplated in either of the *Balachandran* or *Blom* references (or even the proposed combination of them). Those claims are allowable because the art does not provide an arrangement that provides marketing information to a mobile when the subscriber is a visitor to a location.

Applicant believes that this case is in condition for allowance.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE

I hereby certify that this Amendment relative to Application Serial No. 10/607,622 is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on June 7, 2006.


David Gaskey

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